



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
LUCILLE ORILLANEDA,

Plaintiff,

-against-

THE FRENCH CULINARY INSTITUTE,
a/k/a "Bear Cove, Inc.,"

Defendant.
-----X

:
:
: 07 Civ. 3206 (RJH) (HBP)

:
:
: ORDER

PITMAN, United States Magistrate Judge:

A conference having been held in this matter on September 11, 2008 during which various discovery and scheduling issues were discussed, for the reasons stated on the record in open court, it is hereby ORDERED:

1. Defendant's application to compel plaintiff to produce releases for records of plaintiff's employment prior to plaintiff's employment with defendant is denied.

2. Defendant's application to compel plaintiff to produce releases with respect to any post-secondary educational institutions plaintiff attended either prior to or after her employment with defendant is granted; such releases are to be produced to defendant's counsel no later than September 30, 2008.

3. No later than September 30, 2008, plaintiff is directed to produce to defendant any documents plaintiff has received from WES.

4. No later than September 30, 2008, plaintiff is directed to seek from Mr. Eway and produce to defendant any correspondence in Mr. Eway's possession between Mr. Eway and defendant or any correspondence from Mr. Eway in early 2000 concerning plaintiff's immigration status.

5. No later than September 30, 2008, defendant's counsel is to serve and file an affidavit explaining why the document request she proffered to me in Court on September 11, 2008 as having been served on plaintiff's counsel is different than the signed document request that plaintiff actually received.

6. Defendant's request for copies of all documents that plaintiff took with her when she left defendant's employment is denied.

7. Defendant's application to compel production of medical notes that were previously provided to defendant is denied based on plaintiff's representation that all documents within this category have been produced.

8. No later than September 30, 2008, plaintiff and defendant are each to provide all telephone records in their possession, custody or control for the reflecting telephone calls made in July and August, 2005.

9. No later than September 30, 2008, defendant shall produce all expense reports submitted to defendant by plaintiff.

10. No later than September 30, 2008, defendant shall produce all e-mails regarding peer reviews of plaintiff.

11. No later than September 19, 2008, counsel for plaintiff shall provide defendant's counsel with a draft letter, in electronic form, identifying the discovery issues that were not resolved at the September 11, 2008 conference or that otherwise remain in dispute from plaintiff's point of view, along with plaintiff's explanation of why the discovery sought is appropriate. This letter should be submitted to defendant's counsel only; it should not be sent to my chambers. With respect to each discovery issue identified by plaintiff, defendant's counsel shall add a short statement setting forth the basis for defendant's objection to the discovery sought. The joint letter, setting forth the parties' respective positions shall

be submitted to me no later than September 30, 2008; it can be sent to me by fax ((212) 805-6111). A discovery conference to resolve the remaining disputes will be held on October 6, 2008 at 10:00 a.m. in Courtroom 18A.

Dated: New York, New York
September 15, 2008

SO ORDERED


HENRY PITMAN
United States Magistrate Judge

Copies transmitted to:

Elizabeth A. Mason, Esq.
20th Floor
45 Rockefeller Plaza
New York, New York 10111

Shivani Soni, Esq.
Wilson Elser Moskowitz
Edelman & Dicker LLP
150 East 42nd Street
New York, New York 10017